

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: TILLEY; Robert

SERIAL NO.: 10/756,911

ART UNIT: 3754

FILED: January 1, 2004

EXAMINER: Jacyna, J.C.

TITLE: SAW BLADE LUBRICATING APPARATUS

Amendment A: REMARKS

Upon entry of the present amendments, previous Claims 1 - 20 have been canceled and new Claims 21 - 28 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

In the Office Action, Claims 1 and 8 were rejected under 35 U.S.C. § 102(b) as anticipated by Schaffer patent. Claims 1 and 3 were also rejected as anticipated by the Mahon patent. Claims 1 - 6, 8 and 9 were rejected as being obvious over the Tilley patent in view of the Shepherd patent. Claims 13 - 20 were withdrawn from consideration because of an earlier election. Importantly, Claims 7 and 10 - 12 were "objected to" as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As an overview to the present reply, Applicant has revised original Claims 1 - 20 in the form of new Claims 21 - 28. In particular, new Claims 21 - 28 express the limitations of remaining claims 1 - 12 and have placed such claims into an allowable form by placing those "objected to" claims into an independent form. In particular, new independent Claim 21 incorporates the limitations of previous independent Claim 1, along with the limitations objected-to Claim 7 and the limitations of

intervening Claim 6. New independent Claim 26 incorporates the limitations of previous independent Claim 1, along with the limitations of objected-to Claim 10 and the limitations of intervening Claim 9. New independent Claim 28 incorporates the limitations of previous independent Claim 1, along with the limitations of objected-to Claim 12 and the limitations of dependent Claim 9. Applicant respectfully contends that these claims are now in a proper condition for allowance.

Relative to the prior art rejections, Applicant notes that the Schaffer patent describes a hand-held device which has a handle and includes a container suitable for receiving liquid wax. The Schaffer patent identifies screened ends on the pick up tube. As such, only a "liquid" wax product can be used. The pick up tubes are for the suction of the liquid wax. They do not serve for the dispensing of the liquid wax. The liquid wax is dispensed through an opening 65 in the area of grooves 62 through which the fluid will be discharged to the atmosphere. The liquid wax is discharged by pressurizing the liquid wax through the use of a cartridge of gas. Ultimately, the product is in liquid form and not of the solid form as described in the present invention. As stated in the Abstract of the Schaffer patent:

It will be understood that although the device has been described as bomb, it may be used for liquid wax, insecticide, window cleaning fluid, fire extinguishing fluid or any other substance desired in any suitable means may provided for creating or providing pressure therein.

The pressure generated in the "bomb" is variable according to the amount of pressure remaining.

In contrast, the present invention is a solid wax dispensing unit. This dispensing unit utilizes a barrel that must be capable of withstanding up to 6000 p.s.i. of pressure. The barrel is of a fixed nature. It is bolted into a piece of equipment so as to properly dispense the solid wax onto the

sawteeth of a blade. The present invention utilizes a 80,000:1 reduction gearbox with a variable speed DC motor. The present invention is fully automatic and does not have any human manual intervention. As a result, the present invention provides a very controlled constant flow of the solid wax to the cutting tool. The present invention utilizes a constant pressure without respect to the amount of wax product left in the barrel. On this basis, the function of the present invention and the results achieved by the present invention are patentably distinguishable from the Schaffer patent.

The prior art Mahon patent describes dispenser that contains a propellant for forcing out materials. These materials range in consistency from a liquid state to that exemplified by paste, putty ointments and the like. The Mahon patent describes a handheld device. The piston utilized in the Mahon patent is a floating piston. The Mahon patent describes a single nozzle 27 through the duct 29, along with a valve apparatus, which emits the pressurized liquid and its solid state products to the atmosphere. The Mahon patent utilizes a gas product as the propellant. As such, it cannot be a constant pressure system.

In contrast, the present invention describes a completely different type of device. The present invention does not use a propellant. Whenever propellents are used in systems, as the product is used up, the pressure decreases and the volume of the product being dispensed reduces in flow rate. The present invention dispenses a solid wax stream in a very controlled manner. The solid wax is of a solid form and not of a liquid form or of a paste, putty or ointment type. The present invention is a machine-mounted device. It is fully automatic and has no human interaction with the process of dispensing the solid wax. The device is automatically controlled. The present invention utilizes a fixed piston that is connected to an acme screw for generating a constant pressure against the solid wax. The present invention is also used for dispensing wax into the saw blade teeth gullets. As

such, there is no mist or airborne particles.

The prior art Shepherd patent utilizes a totally manual plunger-type control. This is illustrated by gate valve 39. In contrast, the present invention utilizes a ball valve for stopping the flow of wax. This ball valve is of a stainless steel material and is pneumatically or electrically operated.

Based upon the foregoing analysis, Applicant contends that independent Claims 21, 26 and 28 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

<u>May 29, 2007</u>	<u>/Andrew W. Chu/</u>
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